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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,854	12/21/2001	Paul S. Hellyar	MFCP.90837	1108
45809	7590	08/26/2004	EXAMINER	
SHOOK, HARDY & BACON L.L.P. 2555 GRAND BOULEVARD KANSAS CITY, MO 64108-2613			ARSHAD, UMAR	
			ART UNIT	PAPER NUMBER
			2174	

DATE MAILED: 08/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/027,854

Applicant(s)

HELLYAR ET AL.

Examiner

Umar Arshad

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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Claims 1, 7, and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Bloomfield et al., U.S. Patent No. 5,412,776.

As per claim 1, Bloomfield teaches a method for use in a computer system, said computer system having a graphical operating system, for switching between a plurality of open application windows, comprising:

monitoring for switching input indicative of a desire to switch from a current open application window to another of the plurality of open application windows (see column 3, lines 52 – 54);

upon receipt of the switching input, displaying a preview for one of the plurality of open application windows (see column 3, lines 54 – 60 as well as figure 4, item 106; the

examiner interprets displaying an associated object name as displaying a preview for an application window);

monitoring for display input indicative of a desire to make the displayed preview the new current open application window (see column 8, lines 22 – 36); and

upon receipt of the display input, switching the display from the current open application window to the new current open application window (see column 11, lines 40 – 45).

As per claim 7, which is dependent on claim 1, Bloomfield teaches the method of claim 1 (see rejection above). Bloomfield further teaches a computer-readable medium having computer-executable instructions for performing the method as recited in claim 1 (see Bloomfield, column 4, line 54 – column 5, line 17).

As per claim 8, which is dependent on claim 1, Bloomfield teaches the method of claim 1 (see rejection above). Bloomfield further teaches a computer system having a processor, memory, display, and an operating environment, the computer system operable to execute the method recited in claim 1 (see Bloomfield, column 4, line 54 – column 5, line 17).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 2 rejected under 35 U.S.C. 103(a) as being unpatentable over by Bloomfield et al., U.S. Patent No. 5,412,776 in view of Krause, U.S. Patent No. 6,160,554.

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As per claim 2, which is dependent on claim 1, Bloomfield teaches the method of claim 1 (see rejection above). Bloomfield also teaches the method of claim 1, further comprising displaying, along with the preview, a text description associated with the preview (see Bloomfield, column 3, lines 66 – 68). Bloomfield further teaches icons related to applications (see column 7, lines 15 – 23).

However, Bloomfield does not teach the method of claim 1, further comprising displaying, along with the preview, an icon and a text description associated with the preview. Krause teaches displaying an icon along with a preview (see Krause, column 3, lines 7 – 12 and figure 1, item 140).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Krause with the method of Bloomfield to provide an improved representation of a file.

Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bloomfield et al., U.S. Patent No. 5,412,776 in view of Krause, U.S. Patent No. 6,160,554 further in view of Staab, U.S. Patent No. 5,499,334.

As per claim 3, which is dependent on claim 2, Bloomfield and Krause teach the method of claim 2. Krause and Bloomfield do not teach the method of claim 2 further comprising, upon receipt of the switching input, displaying a preview for each of the plurality of open application windows.

Staab teaches displaying a preview for each of the plurality of open application windows (see Staab, figure 4). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Staab with the method of Bloomfield and Krause in order to provide an improved representation of a desktop space.

As per claim 4, which is dependent on claim 3, Bloomfield, Krause and Staab teach the method of claim 3. Bloomfield does not teach the method of claim 3, further comprising displaying, along with the preview for each of the plurality of open application windows, an icon and a text description associated with a corresponding preview.

Staab teaches displaying a preview for each of the plurality of open application windows. Krause teaches displaying an icon along with a preview (see Krause, column 3, lines 7 – 12 and figure 1, item 140).

Claim 5, 6, 9, and 12 – 14 rejected under 35 U.S.C. 103(a) as being unpatentable over by Bloomfield et al., U.S. Patent No. 5,412,776 in view of Kitami, U.S. Patent No. 5,668,962.

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As per claim 5, which is dependent on claim 1, Bloomfield teaches the method of claim 1 (see rejection above). Bloomfield teaches displaying previews of open application windows. Bloomfield further teaches the method of claim 1, wherein each of the plurality of open application windows is ranked according to an activation hierarchy (see column 8, line 44 – 19).

However, Bloomfield does not teach the method of claim 1, wherein each of the plurality of open application windows is ranked according to an activation hierarchy, and wherein the displayed preview is the window immediately succeeding the current open application window in the activation hierarchy. Kitami teaches wherein each of the plurality of open application windows is ranked according to an activation hierarchy (see Kitami, column 4, lines 23 – 29 and lines 55 – 58; windows are activated when they are selected to be loaded into the identifier list, and newly loaded windows are ranked according to activation history because they are added at the end of the identifier list),



and wherein a window switched to is the window immediately succeeding the current open application window in the activation hierarchy (see Kitami, column 2, lines 49 – 58).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Kitami with the method of Bloomfield in order to provide a simplified method of selecting a desired window.

As per claim 6, which is dependent on claim 5, Bloomfield and Kitami teach the method of claim 5 (see rejection above). Bloomfield teaches displaying previews of open application windows.

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Bloomfield does not teach the method of claim 5, further comprising: monitoring, after display of the preview, for additional input indicative of a desire to view a preview of the next open application window in the activation hierarchy; and upon receipt of the additional input, displaying a preview for the next open application window in the activation hierarchy.

Kitami teaches monitoring, after displaying a window, for additional input indicative of a desire to view the next open application window in the activation hierarchy; and upon receipt of the additional input, displaying the next open application window in the activation hierarchy (see Kitami, column 2, lines 49 – 62).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Kitami with the method of Bloomfield in order to provide a simplified method of selecting a desired window in a plurality of windows.

As per claim 9, it is of similar scope to claim 5 and is rejected under the same rationale as claim 5 (see rejection above).

As per claim 12, it is of similar scope to claim 6 and is rejected under the same rationale as claim 6 (see rejection above).

As per claim 13, which is dependent on claim 9, Bloomfield and Kitami teach the method of claim 9 (see rejection above). Bloomfield further teaches a computer-readable medium having computer-executable instructions for performing the method as recited in claim 9 (see Bloomfield, column 4, line 54 – column 5, line 17).

As per claim 14, which is dependent on claim 9, Bloomfield and Kitami teach the method of claim 9 (see rejection above). Bloomfield further teaches a computer system having a processor, memory, display, and an operating environment, the computer system operable to execute the method recited in claim 9 (see Bloomfield, column 4, line 54 – column 5, line 17).

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over by Bloomfield et al., U.S. Patent No. 5,412,776 in view of Kitami, U.S. Patent No. 5,668,962 further in view of Krause, U.S. Patent No. 6,160,554.

As per claim 10, which is dependent on claim 9, Bloomfield and Kitami teach the method of claim 9 (see rejection above). Bloomfield also teaches the method of claim 1, further comprising displaying, along with the preview, a text description associated with the preview (see Bloomfield, column 3, lines 66 – 68). Bloomfield further teaches icons related to applications (see column 7, lines 15 – 23).

However, Bloomfield and Kitami do not teach the method of claim 9, further comprising displaying, along with the preview, an icon and a text description associated with the preview. Krause teaches displaying an icon along with a preview (see Krause, column 3, lines 7 – 12 and figure 1, item 140).

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It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Krause with the method of Bloomfield and Kitami in order to provide an improved representation of a file.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over by Bloomfield et al., U.S. Patent No. 5,412,776 in view of Kitami, U.S. Patent No. 5,668,962 further in view of Staab, U.S. Patent No. 5,499,334.

As per claim 11, which is dependent on claim 9, Bloomfield and Kitami teach the method of claim 9. Bloomfield and Kitami do not teach the method of claim 9 further

comprising, upon receipt of the switching input, displaying a preview for each of the plurality of open application windows.

Staab teaches displaying a preview for each of the plurality of open application windows (see Staab, figure 4). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the method of Staab with the method of Bloomfield and Kitami in order to provide an improved representation of a desktop space.

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### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Umar Arshad whose telephone number is (703) 305-0329. The examiner can normally be reached on Monday - Friday, 9am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L Kincaid can be reached on (703) 308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2174

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

UA

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